

AMENDMENT NO. \_\_\_\_\_

\_\_\_\_\_  
**Signature of Sponsor**

**AMEND Senate Bill No. 03** \_\_\_\_\_

**House Bill No.** \_\_\_\_\_

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting the amendatory language of Section 1 and by substituting instead the following:

(A) In lieu of the forty-eight (48) hour minimum period of incarceration required by this subsection for persons convicted of driving under the influence of an intoxicant for the first time, the court may require such offender to remove litter from state, county or city highways and streets or to remove graffiti or to perform other public service work for a period of forty-eight (48) hours. For purposes of this subpart, public service work includes removing litter, removing graffiti and other work as the sheriff may assign. Public service work shall be performed in the public view.

(B) A court sentencing an offender pursuant to this subpart shall order such offender to perform public service work for a period of eight (8) hours a day for six (6) days. The court shall transmit the name and address of each offender sentenced pursuant to this subpart to the sheriff of the county in which the offense occurred. The sheriff shall notify each such offender of the date and time the offender is to report to the county jail for assignment to public service work. The sheriff shall promptly schedule such assignments when there are a sufficient number of offenders to comprise a cost-effective work crew. In no event, may more than six (6) months elapse between the time of sentencing and the completion of the work assignment, without the permission of the sentencing court.

(C) Each offender ordered to perform public service work shall be required to wear a blaze orange or other distinctively colored vest with the words "I HAVE BEEN

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CONVICTED OF DRUNK DRIVING" stenciled or otherwise written on the back of such vest.

(D) Offenders sentenced pursuant to this subpart shall be required to furnish their own clothes and food while engaged in public service work.

(E) Upon completion of eight (8) hours of public service work, the offender shall be permitted to return home until notified by the sheriff of the next date such offender is scheduled for public service work duty.

(F) The sheriff shall be responsible for the supervision and control of all offenders sentenced to public service work duty. It is within the discretion of the sheriff to select the projects to which such offenders are assigned.

(G) The sheriff may enter into agreements with any city or municipality or the state of Tennessee whereby offenders sentenced pursuant to this subpart may be used to perform public service work within a city or municipality. The same conditions set out in this subpart shall be applicable to offenders working pursuant to such an agreement. The agreement may provide that the city, municipality or state assume responsibility for the supervision and control of the offenders.

(H) If any entity receives funds under Tennessee Code Annotated, Section 41-2-123(c), the offenders shall be the responsibility of the entity supervising that program and under that entity's supervision and control; otherwise, the sheriff shall be responsible for the supervision and control of all offenders sentenced to public service work.

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(l) No sheriff shall be permitted to use an offender sentenced pursuant to this subpart to perform any task other than those tasks authorized pursuant to this subpart. Each August 1 of each calendar year, the jail or workhouse administrator shall report the amount of community work performed each year to the county legislative body.